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Docket No.: M4065.0571/P571
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chandra Mouli

Application No.: 10/655,219

Confirmation No.: 2208

Filed: September 5, 2003

Art Unit: 2814

For: PHOTODIODE WITH SELF-ALIGNED
IMPLANTS FOR HIGH QUANTUM
EFFICIENCY AND METHOD OF
FORMATION

Examiner: L. Pham

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election/Restrictions Requirement dated October 13, 2004, Applicant elects Species I covered by claims 39-47 and 59-74 for continued examination.

Applicant's election is made with traverse. Applicant submits that independent claims 39, 48, 59 and 67 contain all the limitations of generic independent claim 74. Generic claim 74, as well as claims 39-73, all read on elected species I. As noted in the last Office Action, if a generic claim is ultimately allowed, Applicant is entitled to examination of all encompassed species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141.

Applicant also notes that MPEP § 803 provides that "[I]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicant submits that all claims 39-74 recite the same or similar limitations which define closely related subject matter that can be examined without serious burden. In addition, the total number of claims of Species I and Species II is thirty six, of which twenty five claims are directed to the invention covered by Species I and only eleven are directed to the invention covered by Species II. Accordingly, the search and examination of all thirty six claims (Species I and Species II) can be made without serious burden by the Examiner.

An action on the merits of all pending claims 39-74 and a Notice of Allowance are respectfully requested.

Dated: November 15, 2004

Respectfully submitted,

By 

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